

FEB 10 2005

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TOWNSEND and TOWNSEND and CLEW LLP

By: Stephanie J. Whitehurst

PATENT
Attorney Docket No.: 17726A-000420US
Client Ref. No.: 1988-209

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LEE *et al.*

Application No.: 10/028,726

Filed: December 21, 2001

For: PRODUCTS AND METHODS FOR
CONTROLLING THE SUPPRESSION
OF THE NEOPLASTIC PHENOTYPE

Customer No.: 20350

Confirmation No.

Examiner: Wilson, Michael C.

Art Unit: 1632

COMMUNICATION IN RESPONSE TO
DECISION ON PETITION UNDER 37
CFR 1.48(a)

Mail Stop Petitions
Commissioner for Patent
Box 1450
Alexandria, VA 22313-1450

Sir:

The following Communication is in response to the Decision on Petitions
mailed November 24, 2005..

REMARKS

This Communication addresses the single remaining requirement for a positive decision on the Petition Under 37 CFR 1.48(a). According to the Decision, Applicants have not satisfied the requirement which refers to the filing a 37 CFR §3.73(b) Statement. Applicants hereby submit an executed Statement introducing the Reel/Frame

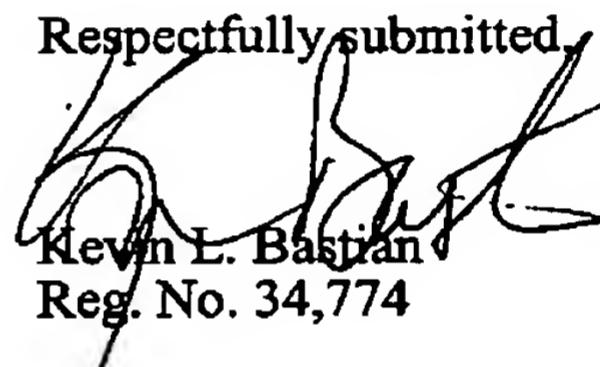
Appl. No. 10/028,726
Communication dated: February 10, 2005
Reply to Decision dated: November 24, 2005

PATENT

(4991/0938) of the recorded assignment from Wen-Hwa Lee, Huei-Jen Su Huang and Eva Y.H.P. Lee to the Regents of the University of California. The submission of this Statement now meets the full requirements for a Petition under 37 CFR §1.48(a).

CONCLUSION

Applicants hereby renew the Petition under 37 CFR §1.48(a) and request a favorable decision on the merits of additional information presented.

Respectfully submitted,

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60417304 v1

PTO/SB/58 (08-03)

Attorney Docket No. 17726A-000420US

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: The Regents of the University of CaliforniaApplication No./Patent No.: 10/028,726 Filed/Issue Date: December 21, 2001Entitled: Products And Methods For Controlling The Suppression Of The Neoplastic PhenotypeThe Regents of the University of California, a University

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. An assignment from the Inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 4991, Frame 0938, or for which a copy thereof is attached.

OR

B. A chain of title from the Inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

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 Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

02/09/05

Date

510-587-6000

Telephone number

Linda L. Stevenson

Typed or printed name

Linda L. Stevenson

Signature

Manager, Patent Prosecution

Title